

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES - GENERAL

Case No. 2:24-cv-01994-RGK-ASx

Date September 24, 2024

Title JB Brothers, Inc. v. Jaewoo Chung, et al.

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGEJoseph Remigio

N/A

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

None appearing

Attorneys Present for Defendants:

None appearing

Proceedings: **(IN CHAMBERS) Order to Show Cause re Dismissal for Lack of Prosecution**

Generally, a party must serve an answer to a counterclaim or crossclaim within 21 days after being served with the pleading that states the counterclaim or cross claim. (FRCiv.P 12(a)(1)(B))

In the present case, it appears that this time period has not been met. Accordingly, the court, on its own motion, orders **counter claimants** to show cause in writing by **September 30, 2024**, why the Counterclaim should not be dismissed for lack of prosecution as to certain counter defendants.

Alternatively, the Court will consider the following a satisfactory response to the Order to Show Cause:

	Alternative Response	Response Due Date	As to Defendant/s:
	Proof of TIMELY AND PROPER service of summons and operative complaint		
X	Response to the operative Counter Claim	9/26/24	Kwang S Lim
X	If defendant fails to respond on the date above, Plaintiff's application for entry of default by clerk pursuant to Rule 55a of the Federal Rules of Civil Procedure	9/30/24	Kwang S Lim
	Plaintiff's motion for default judgment pursuant to Rule 55b of the Federal Rules of Civil Procedure		

If a satisfactory response is not timely filed, the matter or the listed defendants will be dismissed for lack of prosecution. **A stipulation to extend dates or a notice of settlement do not constitute a proper response to this order.**

Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the court finds that this matter is appropriate for submission without oral argument.

Plaintiff to serve this order on any non-appearing defendant/s who have been formally served.